

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 324 be amended to read as follows:

- 1 Page 5, between lines 26 and 27, begin a new paragraph and insert:
- 2 "SECTION 7. IC 20-23-17 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2006]:
- 5 **Chapter 17. Election of School Board Members in East Chicago**
- 6 **Sec. 1. This chapter applies to a school city located in a city that**
- 7 **has a population of more than thirty-two thousand (32,000) but less**
- 8 **than thirty-two thousand eight hundred (32,800).**
- 9 **Sec. 2. (a) The county election board of Lake County shall place**
- 10 **the following public question on the ballot in the city of East**
- 11 **Chicago at the May 2007 primary election:**
- 12 **"Should the school board of the school city of East Chicago be**
- 13 **elected rather than appointed?".**
- 14 **(b) The public question described in this section must be placed**
- 15 **on the ballot in accordance with IC 3-11-2-15.**
- 16 **(c) The county election board shall tabulate the votes cast on the**
- 17 **public question described in this section and certify the results**
- 18 **under IC 3-12-4-9.**
- 19 **(d) Except as provided in this section, IC 3 applies to the public**
- 20 **question required by this section.**
- 21 **(e) The secretary of state shall certify the results of the vote on**
- 22 **the public question required by this section to each of the following:**
- 23 **(1) The speaker of the house of representatives.**
- 24 **(2) The president pro tempore of the senate.**
- 25 **(3) The governor.**

(4) The governing body of the school city.

Sec. 3. The following apply only if a majority of the voters voting on the public question under section 2 of this chapter approve the public question:

(1) The members of the governing body shall be elected as provided in this chapter.

(2) Notwithstanding IC 20-23-8, the plan of school board organization of the governing body shall be changed to comply with this chapter.

(3) The governing body of the school city shall consist of five (5) members elected at large by the registered voters of the entire school city. The members shall be elected on a nonpartisan basis at a primary election held in the school city.

Sec. 4. Upon assuming office and in conducting the business of the governing body, a member shall represent the interests of the entire school city.

Sec. 5. The following apply to an election of members of the governing body of the school city under this chapter:

(1) Each candidate must file a petition of nomination with the circuit court clerk not later than seventy-four (74) days before the election at which members are to be elected. The petition of nomination must include the following information:

(A) The name of the candidate.

(B) The signatures of at least one hundred (100) registered voters residing within the school city.

(C) A certification that the candidate meets the qualifications for candidacy imposed by this chapter.

(2) Only eligible voters residing in the school city may vote for a candidate.

Sec. 6. The state board, with assistance of the county election board, shall establish balloting procedures under IC 3 for the election and all other procedures required to implement this chapter.

Sec. 7. (a) If a majority of the voters voting on the public question under section 2 of this chapter approve the public question, the initial members of the governing body of the school city shall be elected at the primary election to be held in May 2008.

(b) Except as provided in subsections (c) and (d), the term of office of each member of the governing body of the school city is four (4) years beginning July 1 following the member's election.

(c) The terms of the three (3) initial members who receive the greatest number of votes in the election under subsection (a) begin July 1, 2008, and expire June 30, 2012. The successors of the three (3) initial members described in this subsection shall each be elected for a four (4) year term at the primary election held in May 2012 as provided in section 8(a) of this chapter.

1 (d) The terms of the two (2) initial members who are not
2 described in subsection (c) begin July 1, 2008, and expire June 30,
3 2010. The successors of the two (2) initial members described in
4 this subsection shall each be elected for a four (4) year term at the
5 primary election held in May 2010 as provided in section 8(b) of
6 this chapter.

7 (e) The terms of the appointed members of the governing body
8 of the school city who hold office on June 30, 2008, expire June 30,
9 2008.

10 Sec. 8. (a) Three (3) members of the governing body shall be
11 elected at the primary election held in May 2012 and every four (4)
12 years thereafter.

13 (b) Two (2) members of the governing body shall be elected at
14 the primary election held in May 2010 and every four (4) years
15 thereafter.

16 Sec. 9. (a) On July 1, 2008, all powers, duties, and functions
17 adhering to the governing body of the school city in existence on
18 June 30, 2008, are transferred to the governing body elected under
19 this chapter.

20 (b) On July 1, 2008, the property and records of the governing
21 body of the school city in existence on June 30, 2008, are
22 transferred to the governing body elected under this chapter.

23 Sec. 10. The terms of members of the governing body expire
24 June 30 in the applicable year.

25 Sec. 11. A vacancy in the office of a member of the governing
26 body of the school city shall be filled temporarily by the governing
27 body as soon as practicable after the vacancy occurs. An individual
28 filling a vacancy under this subsection serves until the expiration
29 of the term of the member whose position the individual fills.

30 Sec. 12. (a) Before August 1 of each year, the school city shall file
31 with the state superintendent the following information:

32 (1) A list containing the names and addresses of each member
33 of the governing body of the school city and the date of the
34 expiration of each member's term of office.

35 (2) A list containing the names and addresses of each of the

1 **school city's officers and the date of the expiration of each officer's**
2 **term of office.**

3 **(b) The school city shall file any change in the information under**
4 **subsection (a) not later than thirty (30) days after the change**
5 **occurs.".**

6 Renumber all SECTIONS consecutively.
 (Reference is to ESB 324 as printed February 24, 2006.)

Representative Aguilera